

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated March 29, 2007 has been received and its contents carefully reviewed.

Claim 1 is hereby amended; and claims 3, 6, and 10-18 were previously cancelled. Accordingly, claims 1-2, 4-5, and 7-9 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

The Office Action rejects claims 1-2, 4-5, and 7-9 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse the rejection.

The Office Action asserts that claim 1 “is indefinite because if the molar ratio of the hydroxyl group is 100 percent then [sic] the formulas specified in the claim would be void.” *Office Action, page 2, lines 11-12.* Applicants respectfully disagree. Claim 1 recites “an organic polysiloxane precursor having ... a molar ratio of hydroxy groups approximately 80% or more of the total condensable functional groups,” and “said organic polysiloxane precursor is prepared by hydrolyzation and condensation of one or more silane compounds.” Note, the organic polysiloxane precursor has not only the condensable functional groups, but also other functional groups. The molar ratio is of the hydroxy groups to the total condensable functional groups, not all the functional groups. It is possible that an organic polysiloxane precursor having a molar ratio of hydroxy groups of 100% of the total condensable functional groups when the total condensable functional groups are all hydroxy groups. Therefore, claim 1 is definite. Claims 2, 4-5, and 7-9, which all depend from claim 1, are also definite. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-2, 4-5, and 7-9.

The Office Action rejects claims 1-2, 4-5, and 7-9 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,852,367 to You et al. (hereafter “*You*”). Applicants respectfully traverse the rejection.

As required in M.P.E.P. § 2131, in order to anticipate a claim under 35 U.S.C. § 102, “the reference must teach every element of the claim.” *You* does not teach every element of claims 1-2, 4-5, and 7-9, and thus, cannot anticipate these claims.

Claim 1 recites, “an organic polysiloxane precursor having ... a molar ratio of hydroxy groups approximately 80% or more of the total condensable functional groups.” *You* fails to teach at least this element of claim 1. *You* discloses a formula (III): $((R^7R^8SiO)_e(R^9SiO_{1.5})_f(R^{10}SiO_{1.5})_g(SiO_2)_r)_n$. *You* column 6, lines 3-16. R^7 , R^8 , R^9 , and R^{10} are hydrogen, (C1-C6)alkyl, aryl, aryl, or substituted aryl. *Id.* Note, R^7 , R^8 , R^9 , and R^{10} are not hydroxy group. Therefore, *You* does not teach the above-recited element of claim 1, namely “an organic polysiloxane precursor having ... a molar ratio of hydroxy groups approximately 80% or more of the total condensable functional groups.” Furthermore, claim 1 further recites “[Chemical Formula 2] $R^3_qR^4_{3-q}Si-M-SiR^5_rR^6_{3-r}$ where ... M is a C1 to C6 alkylene or phenylene.” In Chemical Formula 2, two Silicon atoms are connected by “a C1 to C6 alkylene or phenylene.” *You* also fails to teach at least this element of claim 1. In fact, *You* discloses formulae (I), (II), and (III). In formula (I), there is only one silicon atom. In formulae (II) and (III), silicon atoms are directly connected to each other. *You* column 4, lines 19-20 and column 6, line 3. Accordingly, claim 1 is allowable over *You*. Claims 2, 4-5, and 7-9, which variously depend from claim 1, are also allowable for at least the same reasons as claim 1. Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection.

The Office Action rejects claims 1-2, 4-5, and 7-9 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0127587 to Kang et al. (hereafter “*Kang*”). Applicants respectfully traverse the rejection.

Kang is a national stage application of International Application No. PCT/KR03/01271, which was filed on June 27, 2003. The 102(e) date of *Kang* is June 27, 2003. The current application claims priority to Korean Patent Application No. 10-2003-0022307, which was filed on April 9, 2003. The priority date of the current application is April 9, 2003. Accordingly, the 102(e) date of *Kang* is well after the priority date of the current application. Therefore, Applicants submit that *Kang* does not constitute viable 102(e) prior art against the

pending claims. The rejection is improper, and Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection.

The application is in condition for allowance. Early and favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: June 29, 2007

Respectfully submitted,

By 

Mark R. Kresloff

Registration No.: 42,766

McKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorneys for Applicant